

**Notice of Allowability**

Application No.

09/732,738

Examiner

CUONG H. NGUYEN

Applicant(s)

ALNWICK, JEFFREY

Art Unit

3661

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/2/05 (the telephonic interview).
2. ☒ The allowed claim(s) is/are 23-29; they are renumbered as 1-7.
3. ☒ The drawings filed on 11 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 3/2/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

CUONG H. NGUYEN  
Primary Examiner  
Art Unit: 3661

**DETAILED ACTION**

1. This Office Action is the answer to the telephonic interview on 3/02/2005, which paper has been placed of record in the file.
2. Claims 16-29 are pending in this application. Claims 1-15 were canceled.

**Examiner's amendment:**

3. An examiner's amendment to the record appears below. The authorization for this amendment was given by Mr. Mitchell B. Wasson (Reg. # 27,408) on 3/02/2005. Should the changes and additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
4. The application has been amended as follows:
  - cancel claims 16-22.

**Allowable Subject Matter**

5. Independent claim 23 is patentable over the closest references of Dworkin (US Pat. 5,992,940), Erickson (US Pat. 6,014,644), Peterson et al., (US Pat. 6,324,522), and Harada (JP406149777A) because these prior art do not anticipate nor fairly and reasonably teach a computerized method for transmitting inventory information between different vendors and a buyer, comprising:

creating an exchange platform provided at a location removed from the buyer and the vendors;

transmitting first inventory information from a first group of vendors denoted as search time participants to said exchange platform at first discrete time intervals during a twenty-four hour period of time;

transmitting second inventory information from a second group of vendors denoted as order time participants to said exchange platform polling said second group of vendors at second discrete time intervals during said twenty-four hour period of time, the number of said first discrete time intervals being less than said second discrete time intervals, resulting in the receipt of said second inventory information at said exchange platform more frequently than the receipt of said first inventory information at said exchange platform, said second inventory information including a purchase price;

transmitting third inventory information from a third group of vendors denoted as real time participants to said exchange platform at third discrete time intervals during said twenty-four hour period of time, the number of third discrete time intervals being greater than said second discrete time intervals, resulting in the receipt of said third inventory information at said exchange platform more

frequently than the receipt of said second inventory information at said exchange platform;  
periodically reviewing said first, second and third inventory information by the buyer through said exchange platform; transmitting a first purchase order from the buyer directly to said search time participants without sending said first purchase order to said exchange platform;  
providing said exchange platform with an order time approval program allowing the buyer to communicate with said order time participants through said exchange platform;  
transmitting a second purchase order from the buyer to said order time approval program at said exchange platform, said exchange platform transmitting said second purchase order to one of said order time participants;  
transmitting a first communication from one of said order time participants to the buyer through said exchange platform responsive to said second purchase order, said first communication rejecting or approving said second purchase order;  
transmitting a third purchase order from the buyer to one of said real time participants through said exchange platform;

transmitting a second communication from one of said real time participants to the buyer through said exchange platform; said second communication sent to the buyer in real time indicating whether said third purchase order was rejected or approved; and  
the buyer purchasing inventory from one of the vendors when said third purchase order is approved by one of the vendors.

6. Claims 24-29 are allowed because they are dependent on claims 23.

#### ***Conclusion***

7. Claims 23-29 are renumbered as claims 1-7 (in that order).

8. These cited references are related to applicants' disclosure:

- Saito et al., (JP405278817A - 10/26/1993 - G06F 15/21)  
provide an inventory management device allowing the preliminary recognition of an article requiring supplement for each article by providing sensors for detecting the access of customers in corresponding positions every displayed article in a showcase, counting the detecting frequency of each sensor, and outputting the count result according to output requirement. This reference does not show a distinction about receiving

inventory requests from 3 different types of inventory participants as claimed.

- Harada et al., (JP406149777A - 5/31/1994 - G06F 15/20) disclose a simulation device having an inventory simulation part which finds the respective relations of the stock-out rate, inventory months, production ability margin, setup change frequency, and production lead time from an equation for finding the safe volume of inventories, and equation for finding the setup change frequency, and equation for finding the mean volume of inventories, and an equation for finding the mean volume of stockpile inventories. This reference does not show a distinction about receiving inventory requests from 3 different types of inventory participants as claimed.

- Huang et al., (US Pat. 6,151,582 - 11/21/2000 - 705/7,8,10) disclose that an estimated inventory statistics calculation can compute and display inventory related measurements of average inventory level (as weeks of sales); expected stock-out probability; service level (fill rate); inventory carrying cost; and total cost for the chosen inventory policy and policy parameters. This reference does not show a distinction about receiving inventory requests from 3 different types of inventory participants as claimed.

- Peterson et al., (US Pat. 6,324,522 - 11/27/2001 - 705/26,28) disclose that each vendor can communicate to other vendor a current inventory quantity and a current price of the item each of the vendors has for sale; and establishing an agreement among the vendors in which a first vendor agrees to sell to a second vendor, upon demand at a future point in time, up to the then current inventory quantity of the item at the then current price. This reference does not suggest a system in which inventory information are transmitted from 3 different suppliers to a service provider at different time intervals.
- From Dialog ® File 9, acc. No. 2041148: Route to efficiency - more intelligent tools are helping third-party logistics suppliers to reach beyond their traditional roles, by Darrell Dunn of Electronic Buyers News, p.63, 1/12/1998.
- Rummeler et al., Managing the white space on the organization chart, Supervision, v52n5, pp.6-12, 5/1991 (From Dialog ® File 15, acc. No. 00547582).
- From Dialog ® File 16, acc. No. 02065743, Managing the White Space, Telephone Engineer & Management, pS35, 1/15/1992.

- Vanderwey, Lending to mail order companies, The Journal of Lending & Credit Risk Management, v79, n1, p.36(12), 9/1996 (From Dialog ® File 75, acc. No. 00193594).
- Gilbert, Financing the leveraged buy-out through acquired assets, Harvard Business Review p.8, 7/1978 (From Dialog ® File 122, acc. No. 113425).
- Software for a procurement data support system, a paper of Shirley W. Bruce, Buyer, Westinghouse Electric Corporation, Bettis Atomic Power Laboratory, 7/21/1983 (From Dialog ® File 194, acc. No. 0338370).
- "Integrated Supply Holds Promise for Wholesaler Sales Improvements", Air Conditioning Heating & Refrigeration News, vol. 199, Issue 17, p.5-6, Dec. 23, 1996.
- Cohodas, Marvin, "IPOWER Distributor Alliance Eases MRO Procurement", Electronic Buyers'News, Issue 1043, p. 44, Feb. 3, 1997.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7:15am - 3:45pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 703-305-8233. The fax phone number for



the organization where this application is assigned is 703-305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Cuonghnguyen*

*CHAN*  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661